

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

XINGFEI LUO,  
Petitioner,  
v.  
THE PEOPLE OF CALIFORNIA,  
Respondent.

Case No. 8:22-cv-01640-MEMF-KES

ORDER REQUIRING RESPONSE  
TO STAY MOTION

In order to facilitate the just, speedy, and inexpensive determination of this action, **IT IS HEREBY ORDERED** as follows:

1. The Clerk of this Court shall promptly (a) serve electronic copies of the Petition and this Order on the California Attorney General's Office; and (b) serve a copy of this Order on Petitioner.

2. The Clerk shall also serve Petitioner with a copy of the Consent to Proceed Before a United States Magistrate Judge (Form CV-11B) along with this Order. If Petitioner wishes to exercise the consent option, she shall file a completed Form CV-11B with the Clerk and serve Respondent with same **within twenty-eight (28) days** of the service date of this Order. Respondent shall have until the

1 date of the filing of the initial response to the Petition in which to exercise the  
2 consent option by filing and serving a completed Form CV-11B. **The parties are**  
3 **free to withhold consent without adverse substantive consequences.**

4 3. Respondent shall e-file and serve a Notice of Appearance that  
5 designates the Deputy Attorney General(s) in charge of the case **within fourteen**  
6 **(14) days** of the service date of this Order.

7 4. Respondent shall file a response to Petitioner's Motion for Stay (Dkt.  
8 13) **within thirty (30) days** of the service date of this Order.

9 5. Petitioner may file a single reply responding to matters raised in  
10 Respondent's response to the Motion for Stay **within thirty (30) days** of the date of  
11 service thereof.

12 6. To request an extension of time for any of the deadlines set forth in  
13 this Order, a party must file a motion demonstrating good cause for the extension.  
14 Such a motion should be filed before the deadline has expired. Any such motion  
15 should be accompanied by a declaration explaining why an extension of time is  
16 necessary and by a proposed order granting the requested extension.

17 7. Every document delivered to the Court must include a certificate of  
18 service attesting that a copy of such document was served on opposing counsel (or  
19 on the opposing party, if such party is not represented by counsel). Any document  
20 delivered to the Court without a certificate of service may be returned to the  
21 submitting party without being considered by the Court.

22 8. Nothing in this order prevents Petitioner from immediately filing a  
23 habeas petition in state court.

24  
25 DATED: October 24, 2022

*Karen E. Scott*  
26 KAREN E. SCOTT  
27 United States Magistrate Judge  
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